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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID RICHARD GARCIA JR.

Defendants.

CASE NO. 1:25-CR-00033-KES-BAM

STIPULATION TO CONTINUE STATUS
CONFERENCE; AND ORDER

IT IS HEREBY STIPULATED by and between the parties that the status conference set for November 12, 2025 at 1:00 pm before the Honorable Barbara A. McAuliffe be continued to February 11, 2026 at 1:00 p.m.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. The parties need additional time to further investigate/explore matters related to resolving the case or setting a trial date, particularly:

a) The defendant is also charged in state court and the parties need time to explore a potential global resolution.

b) The government has extended a plea offer which expires February 3, 2026.

2. By this stipulation, defendant now moves to continue the status conference, and to exclude time from November 12, 2025 to February 11, 2026.

3. The parties agree and stipulate, and request that the Court find the following:

1 a) The government has represented that the discovery associated with this case
2 includes investigative reports, and related documents, photographs, etc., in electronic form. All
3 of this discovery has been either produced directly to counsel and/or made available for
4 inspection and copying.

5 b) With respect to the additional time from November 12, 2025 to February 11,
6 2026, defense would further like additional time for defense investigation, and the government
7 does not object to the continuance on this basis.

8 c) An ends-of-justice delay is particularly apt in this case because:

- 9
 - Defendant needs additional time to conduct additional investigation.

10 d) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of November 12, 2025 to February
15 11, 2026, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and
16 (h)(7)(B)(iv) because it results from a continuance granted by the Court at defendants' request on
17 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
18 best interest of the public and the defendants in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
21 must commence.

22
23 Dated: November 3, 2025

Respectfully submitted,

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25 ERIC GRANT
United States Attorney

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27 By /s/ Robert L. Veneman-Hughes
ROBERT L. VENEMAN-HUGHES
28 Assistant United States Attorney

1 Dated: November 3, 2025

/s/ Robert Lamanuzzi

ROBERT LAMANUZZI

Attorney for Defendant DAVID GARCIA

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5 **ORDER**

6 IT IS SO ORDERED that the status conference is continued from November 12, 2025, to
7 **February 11, 2026 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**
8 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).
9

10 IT IS SO ORDERED.
11

12 Dated: November 4, 2025

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE